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The situation in the Middle East

Question of Palestine

Letter dated 26 October 2011 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

In follow-up of my letter, dated 10 August 2011, contained in document A/65/929-S/2011/513, regarding the very serious issue of the continued destruction of Ma'man Allah (Mamilla) Cemetery in Jerusalem by the Israeli Government, I have the honour to transmit a statement issued on 20 October 2011 by the Center for Constitutional Rights, entitled "Archaeologists Worldwide Urge Halt to 'Museum of Tolerance' Construction on Ancient Muslim Cemetery" (see annex).

I kindly request that the text of the present letter and its annex be circulated as a document of the General Assembly, under agenda items 36 and 37.

(*Signed*) Riyad **Mansour**
Ambassador, Permanent Observer

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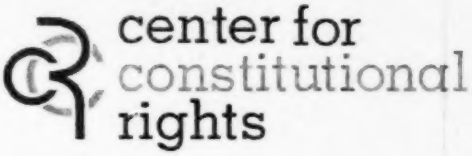
Annex to the letter dated 26 October 2011 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General



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Archaeologists Worldwide Urge Halt to "Museum of Tolerance" Construction on Ancient Muslim Cemetery

Leading Archaeologists Appeal to Simon Wiesenthal Center Board, Mayor of Jerusalem, and Head of Israeli Antiquities Authority to Halt Destruction of Mamilla

October 20, 2011, New York; Jerusalem – In a letter submitted today, 82 leading archaeologists worldwide, with support from the Center for Constitutional Rights (CCR) and the Campaign to Preserve Mamilla Jerusalem Cemetery, urged Board Members of the Simon Wiesenthal Center. the mayor of Jerusalem, Mr. Nir Barkat, and the Head of the Israeli Antiquities Authority (IAA) to immediately halt current and future construction of the "Museum of Tolerance" on the site of Mamilla, a historically renowned Muslim cemetery. This plea comes as the Israeli architects commissioned to build the museum are threatening to resign from the project, as did Frank Gehry before them. The appeal is added to those of a growing number of cultural preservation and rights groups who have vocally opposed the project since 2010. Over this time, CCR has acted as legal counsel in appeals to the UN High Commissioner for Human Rights, the UN Special Rapporteurs on Religion and Racial Discrimination, the Independent Expert on Cultural Rights, and the UN Educational, Scientific, and Cultural Organization (UNESCO) to halt construction of the museum.

In their letter the archaeologists cite international ethics rules, as well as Israeli laws that were circumvented during the excavation of the Mamilla cemetery with the discovery of hundreds of Muslim burials, such as the 1978 Antiquities Act, which prohibits excavation in areas known to be burial sites, and 1994 regulations mandating that human remains be turned over to the Ministry of Religious Affairs for reburial. IAA policy also requires thorough recording of burial excavations, and the IAA has guidelines for the treatment of human remains.